

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 40**

Introduced By: Schimek, 27; Friend, 10; Mines, 18; Pahls, 31;  
Read first time: January 4, 2007  
Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to elections; to amend sections 32-1404,  
2 32-1406, and 32-1546, Reissue Revised Statutes of Nebraska;  
3 to require an initiative and referendum petition circulator  
4 to wear an identification badge; to harmonize provisions;  
5 and to repeal the original sections.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 32-1404 Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           32-1404. (1) A signer of an initiative and referendum  
4 petition shall be a registered voter of the State of Nebraska on or  
5 before the date on which the petition is required to be filed with the  
6 Secretary of State and shall meet the requirements of section 32-630.

7           (2) A person who circulates initiative and referendum  
8 petitions need not be a registered voter but shall comply with  
9 requirements of subsection (2) of section 32-630 and with the  
10 prohibitions contained in subdivisions (3)(a), (d), and (f) of section  
11 32-630. A person circulating such petitions shall wear an  
12 identification badge as provided in section 32-1406 so that the  
13 identification number is visible to petition signers.

14           Sec. 2. Section 32-1406 Reissue Revised Statutes of  
15 Nebraska, is amended to read:

16           32-1406. (1) The election commissioner or county clerk  
17 shall provide the name and address of the principal circulator of an  
18 initiative or referendum petition upon request. The principal  
19 circulator shall inform the election commissioner or county clerk of  
20 the name and address to be provided.

21           (2) The principal circulator shall provide an  
22 identification badge to each person who circulates his or her  
23 petition. The principal circulator shall keep a record of the  
24 identification badges being used and the name and address of each  
25 person to whom he or she gives an identification badge. The principal  
26 circulator shall make the records available, upon request, to the  
27 Secretary of State, the Nebraska Accountability and Disclosure

1 Commission, and law enforcement personnel. The identification badges  
2 shall each have a unique number and a brief description of the  
3 subject matter of the petition in a print size and style easily read  
4 by a petition signer. A person wearing an identification badge shall  
5 make sure it is visible by and legible to petition signers.

6 Sec. 3. Section 32-1546 Reissue Revised Statutes of  
7 Nebraska, is amended to read:

8 32-1546. (1) Any person who is not, at the time of signing a  
9 petition, a registered voter and qualified to sign the petition except  
10 as provided for initiative and referendum petitions in section  
11 32-1404, ~~or~~ who signs any name other than his or her own to any  
12 petition, or who fails to wear an identification badge as required by  
13 section 32-1404 shall be guilty of a Class I misdemeanor

14 (2) Any person who falsely swears to a circulator's  
15 affidavit on a petition, who accepts money or other things of value  
16 for signing a petition, or who offers money or other things of value  
17 in exchange for a signature upon any petition shall be guilty of a  
18 Class IV felony.

19 Sec. 4. Original sections 32-1404, 32-1406, and 32-1546,  
20 Reissue Revised Statutes of Nebraska, are repealed.